

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KINGSTON OIL SUPPLY CORP., a

New York corporation,

Plaintiff,

Rule 7.1 Statement

v.

BOTTINI PROPANE, INC., a

New York corporation,

Defendant.

Civil Action No.: 08 CIV 4253(BSJ)

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Pursuant to Federal Rule of Civil Procedure 7.1, the undersigned counsel for Bottini Propane, Inc. (a private non-governmental party), certifies that the Defendant is not owned by a publically held corporation and is not a subsidiary of any other corporation.

Dated: June 13, 2008

Suffern, New York

Respectfully submitted.

By: s/

Kenneth C. Gobetz, Esq. (KG 5431)

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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing Answer has been made on June 13, 2008, by mailing a copy, to:

Stephen W. Feingold
Barry Benjamin
DAY PITNEY LLP
7 Times Square
New York, New York 10036-7311

s/ _____
Kenneth C. Gobetz